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November 5, 2024

Via ECF

The Honorable Leda Dunn Wettre, U.S.M.J.
United States District Court
District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

Re: **CommScope, Inc., et al. v. Rosenberger Technology (Kunshan) Co. Ltd., et al.**
Civil Action No. 2:19-cv-15962-JXN-LDW

Dear Judge Wettre:

We write on behalf of all parties regarding the current expert discovery schedule, which has responsive reports due by Friday, December 20th.

The parties exchanged affirmative expert reports on October 18, 2024 pursuant to the Court's Amended Scheduling Order. *See* Dkt No. 607. Plaintiffs submitted 6 expert reports addressing issues related to the allegedly misappropriated software and hardware, damages, security measures, and document restoration efforts. Defendants also submitted 2 affirmative expert reports addressing certain alleged trade secrets and security measures.

Each of Plaintiffs' six expert reports are voluminous. Upon advice of their technical experts, Defendants will require more time to prepare and submit their respective responsive reports than what is currently provided in the schedule. The parties have discussed an appropriate extension to the schedule for each side to file its responsive reports and thereafter prepare for and take expert depositions.

The parties therefore request an extension of the current scheduling order (Dkt. No. 607) by approximately 7 weeks (as outlined below) to allow sufficient time for the parties' experts to adequately review necessary documentation and prepare their respective reports.

In accordance with the Court's prior order (Dkt. No. 581), Defendants believe that manifest injustice will result in the event an extension is not granted, as Defendants' experts will not have adequate time to prepare their responsive reports. Further, this issue could not have been raised prior to the parties' exchange of expert reports. Plaintiffs agree that an extension is appropriate under the circumstances. Good cause therefore exists to amend the schedule as follows:

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1. All responding expert reports (i.e., reports responding to issues addressed in an affirmative report) shall be served by February 10, 2025. Any such report shall comport with the form and content requirements of Fed. R. Civ. P. 26(a)(2)(B).
2. Expert discovery, including the depositions of any expert witnesses, shall be completed on or before April 11, 2025.

The current scheduling order provides that a telephonic status conference with the Court shall proceed as scheduled on December 5, 2024 and requires the parties to submit status letters by November 21, 2024. The parties would be happy to proceed as scheduled for this telephonic status conference or adjourn the conference to a later date at the Court's discretion.

If this schedule is acceptable to Your Honor, the parties respectfully request that Your Honor "so order" this letter submission. The parties are also available for a telephonic conference if Your Honor has any questions. Thank you for your continued time and attention to this matter.

Very truly yours,

CULLEN AND DYKMAN LLP

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DSE/rc

cc: All Counsel of Record (via ECF)